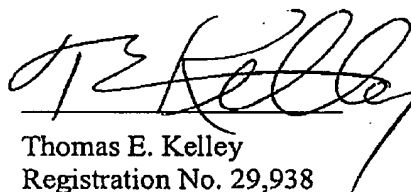


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REMARKS

Reference is made to the USPTO Decision on Petition under 37 CFR 1.78(a)(3), mailed October 20, 2006, from which applicant understands that the prior petition was denied because the earlier-proposed amendment to the specification in the "Reference to Related Applications" section would have improperly incorporated by reference the prior filed application. Applicant submits that the incorporation by reference was not intended to extend to Serial No. 09/865,439 which was copending with this application during the period October 2, 2002 through November 18, 2003. So to avoid ambiguity, applicant respectfully requests entry of the replacement section as presented above. This amendment will serve to comply with the requirements 35 U.S.C. 120 and 37 CFR 1.78(a)(2)(i) for reference to a prior filed application and to permit favorable consideration of a renewed petition to amend priority. In this regard it should be clear that reference to Serial No. 09/865,439 is not incorporated by reference.

Respectfully submitted,



Thomas E. Kelley
Registration No. 29,938
Applicant's Attorney
Phone: 860-572-5274